UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.189/PC.3/3
12 July 2001

Original: ENGLISH

WORLD CONFERENCE AGAINST RACISM,
RACIAL DISCRIMINATION, XENOPHOBIA
AND RELATED INTOLERANCE
Preparatory Committee
Third session
Geneva, 30 July-10 August 2001
Item 4 of the provisional agenda

REPORTS, STUDIES AND OTHER DOCUMENTATION FOR THE PREPARATORY COMMITTEE AND THE WORLD CONFERENCE

Note by the Secretary-General

Contribution of the Committee on the Rights of the Child

Introduction

1. In paragraph 61 of its resolution 1999/78 of 28 April 1999, the Commission on Human Rights inter alia invited United Nations bodies and mechanisms dealing with the question of racism, racial discrimination, xenophobia and related intolerance to participate actively in the preparatory process for the World Conference. The General Assembly, in paragraph 37 of its resolution 54/154, also requested human rights mechanisms to assist the Preparatory Committee and to undertake reviews and submit recommendations concerning the World Conference and the preparations therefore to the Preparatory Committee through the Secretary-General, and to participate actively in the Conference.

GE.01-14653 (E) 240701

2. During its twenty-seventh session, held in Geneva from 21 May to 8 June 2001, the Committee on the Rights of the Child adopted at its 721st meeting the following contribution for the preparatory process of the World Conference.

3. The Committee on the Rights of the Child took note of the draft declaration and programme of action of the World Conference against Racism (A/CONF.189/PC.2/27 of 18 May 2001) with special interest.

4. Millions of children have been and still are victims of racism, racial discrimination, xenophobia and related intolerance. Children can be directly or indirectly (as a consequence of the discrimination against their parents, families and communities) be victims of discrimination. The Committee when reviewing and discussing States parties' reports has consistently paid attention to the implementation of the principle of non-discrimination, as set out in article 2 of the Convention on the Rights of the Child, particularly as it relates to the most vulnerable groups of children, including economically and socially marginalized children. The Committee has expressed concern that many children are often faced with double or multiple discrimination by virtue of being members of two or more marginalized groups in their respective societies.

5. The Committee would like to commend the Preparatory Committee for its efforts to cover all the relevant aspects of the prevention of and the fight against racism, racial discrimination, xenophobia and related intolerance. The success of the Preparatory Committee thus far is undoubtedly due to the thorough preparation and valuable input of States through, inter alia, regional conferences, as well as to the full and dedicated support of the High Commissioner for Human Rights and her staff. Acknowledging that the draft declaration and programme of action cover many equally important issues, the Committee, given its mandate, would like to limit itself to some observations concerning education, training and public information (chap. II) and children (chap. IX).

Education, training and public information (chap. II)

6. While education may be considered the most essential and positive tool for the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance, it can also be used negatively to indoctrinate, incite and promote propaganda on ideas or theories of the superiority of one race or group of persons.

7. The Committee devoted its first General Comment to the aims of education (art. 29.1 of the Convention), in which it elaborated on the importance of teaching and promoting an understanding of respect for all human rights at all levels of the educational system. The Committee has submitted this General Comment on the aims of education as its contribution to the World Conference against Racism.

8. Noting the significant role of education in the fight against racial discrimination, the Committee systematically encourages States to guarantee free access to mandatory primary education, without any discrimination, to all children within their jurisdiction. This means that every child should be enrolled and that none should be excluded for reasons of discrimination. This principle should be applied to both primary and secondary education.

9. Based on these observations the Committee would like to make the following concrete suggestions for the chapter on education, training and public information:

(a) The text could start with a paragraph on non-discriminatory access to education, reiterating that States should take all necessary steps to make this access a reality for all children within their jurisdiction;

(b) The text could emphasize more clearly the need for good quality education (adequate financial and human resources) which efficiently and effectively targets the aims of education set out in article 29.1 of the Convention. This should entail, inter alia:

Curricula that are adapted to include the cultural and linguistic realities of children belonging to minority, indigenous or ethnic groups, as well as refugee and other socially marginalized children;

Teaching materials that are carefully and regularly reviewed in order to prevent negative presentations of minority children and promote a better understanding of and respect for all cultures and ethnic groups, their differences and their history; and

The active involvement and participation of minority children and their parents in all school matters.

(c) Finally, the text could emphasize more clearly the importance of teacher training, focusing on the development of values and attitudes respectful of the principles of non-discrimination, community participation, and the promotion of evaluation and research.

Children (chap. IX)

10. The Committee notes with appreciation that special attention is given to children in the draft declaration and programme of action. This is important not only because children are among the most vulnerable victims of racism, but also because they can play an important role as active participants in the prevention of and the fight against racism. This could mean, inter alia, that children are:

Involved in the preparation of programmes or activities addressing the issue of racism, xenophobia and related intolerance in their communities and schools;

Consulted about the collection of trustworthy information on these issues; and/or

Empowered and supported in order to play an active role in combating racism, racial discrimination, xenophobia and related intolerance.

11. The Committee has the following specific comments to make on the draft declaration and programme of action, as contained in document A/CONF.189/PC.2/27:

(a) The Committee would like to suggest the inclusion of a paragraph encouraging States to ratify the two Optional Protocols to the Convention on the Rights of the Child on the

involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. The Convention on the Rights of the Child, along with its two Optional Protocols, is relevant to the fight against racism, including all forms of discrimination against children.

(b) With respect to paragraph 43, indigenous children should be added to the list.

(c) With respect to paragraph 44 of the text, the Committee would propose the following wording:

> The World Conference against Racism invites States to establish efficient and effective system(s) to collect reliable disaggregated statistical data and analyse them in order to identify how legislation and policy affect children's lives and to develop the necessary indicators for measuring progress. States should ensure that any data collected on race, colour, descent, religion, language, national or ethnic origin/ethnicity, nationality, religion, descent, etc. will not be misused. All such information shall be collected in accordance with provisions on human rights and fundamental freedoms, such as data protection regulations and privacy guarantees.

(d) With respect to paragraph 44 bis, the word "children" should be used instead of "women and girls"; the focus in this chapter should be on children.

(e) With respect to paragraph 45 bis, the word "girls" should replace "women". Further, the words "children" or "girls and boys" should replace "women and girls".

The Committee thinks that the content of paragraphs 47 to 49 is of a more general nature and could be better placed in the preamble or elsewhere in the document.